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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/694,653	10/23/2000	John Overman	5384/55100	3830	
7:	590 07/15/2003				
KEITH E GEORGE, ESQ. MCDERMOTT, WILL & EMERY 600 13TH STREET, N.W. WASHINGTON, DC 20005-3096			EXAM	EXAMINER	
			KRIZEK, JANICE LEE		
WASHINGTO	N, DC 20003-3090		ART UNIT	PAPER NUMBER	
			3652		
			DATE MAILED: 07/15/2003		

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No. 09/694,653

Applicant(s)

Archer et al.

Examiner

Janice Krizek

Art Unit 3652



Provided for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIREONE MONTHIS) FROM THE MAILING DATE OF THIS COMMUNICATION. Extendence of time more investigate used by providence of 27 GPT. 136 (al. in no swent, horsever, may a reply be timely filed after 90X (b) MONTHIS from the Extendence of time more his enables used the provisions of 27 GPT. 136 (al. in no swent, horsever, may a reply be timely filed after 90X (b) MONTHIS from the Extendence of time more his enables used by providing of 27 GPT. 136 (al. in no swent, horsever, may a reply be timely filed after 90X (b) MONTHIS from the timely desired of the normal providence of 27 GPT. 136 (al. in no swent, horsever, and the timely filed after 90X (b) MONTHIS from the section of the communication. False to negly while the set is carefully sected after the maintain section of the communication. False to negly while the set is carefully sected after the maintain section. False to negly while the set is carefully sected after the maintain section. False to negly while the set is carefully sected after the maintain section. False to negly while the set is carefully section. False to negly the section of the communication. False to negly while the set is carefully section. False to negly the section of the communication. False to negly while the set is carefully section. False to negly the section of the communication. False to negly the section of the section of the communication. False to negly the section of the section of the communication. False to negly the section of the						
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1)	mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a reply within the term of the period for reply is specified above, the maximum statutory period will apply. Failure to reply within the set or extended period for reply will, by statute, cause to the cause of the period by the Office later than three months after the mailing date of	the statutory minimum of thirty (30) days will be considered timely. and will expire SIX (6) MONTHS from the mailing date of this communication. the application to become ABANDONED (35 U.S.C. § 133).				
2a) ☐ This action is FINAL. 2b) ☑ This action is non-final. 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213. Disposition of Claims 4i) ☑ Claim(s) /-50	Status					
3	1) Responsive to communication(s) filed on					
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6 Claim(s)	4a) Of the above, claim(s)	is/are withdrawn from consideration.				
6 Claim(s)	5) Claim(s)	is/are allowed.				
Is/are objected to. -50						
Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on	7) Claim(s)	is/are objected to.				
9 The specification is objected to by the Examiner. 10 The drawing(s) filed on	8) ☑ Claims	are subject to restriction and/or election requirement.				
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If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some* c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e). a) The translation of the foreign language provisional application has been received. 15) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(e). 5) Notice of Informal Patent Application (PTO-152)	Applicant may not request that any objection to the	drawing(s) be held in abeyance. See 37 CFR 1.85(a).				
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3) Information Disclosure Statement(s) (PTO-1449) Paper No(s)	2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) Notice of Informal Patent Application (PTO-152)				
	3) Information Disclosure Statement(s) (PTO-1449) Paper No(s).	6} Other:				

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1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

 Claims 1-14, drawn to a flats mail system and method, classified in class 414, subclass 789.9.

II. Claims 15-50, drawn to a mailpiece handling apparatus and method, classified in class 414, subclass 794.4.

2. The inventions are distinct, each from the other because:

Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention II has separate utility such as use in conveying a stream of mailpieces. See MPEP § 806.05(d).

- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(I).

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5. Applicant is advised that the reply to this requirement to be complete must include an

election of the invention to be examined even though the requirement be traversed (37 CFR

1.143).

6. Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Examiner Janice Krizek whose telephone number is (703) 308-2026. The

examiner can normally be reached on Mondays through Fridays from 9:30 a.m. to 6:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Eileen Lillis, can be reached at (703) 308-3248. The fax numbers for Technology

Center 3600 are (703) 872-9326 (for responses before final rejection), (703) 872-9327 (for

responses after final rejection) and (703) 872-9325 (for customer service).

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the Center receptionist whose telephone number is (703) 308-1113.

ilk

July 13, 2003

nied. Knizek 7-13-03

Primary Examiner

Technology Center 3600

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